

**HARRIS BEACH** <sup>PLLC</sup>  
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December 7, 2023

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VIA EMAIL

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The Hon. Hector Gonzalez  
United States District Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

RE: *Long Island Anesthesiologists PLLC v. UnitedHealthcare Insurance Company of  
New York, et al.*, 2:22-cv-04040-HG

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Dear Judge Gonzalez:

We represent the Plaintiff in this lawsuit. On November 21, 2023, Your Honor filed the Memorandum & Order (Dkt 50) granting Defendants' motions to dismiss in their entity. In that Memorandum & Order, Your Honor granted Plaintiff permission to file a motion seeking leave to amend its complaint on or before December 12, 2023, with Defendants to file a joint opposition brief on or before January 4, 2024.

Plaintiff intends to file a motion for leave to file an amended complaint. The parties have met and conferred regarding this intended motion and are jointly requesting that Your Honor enlarge the briefing schedule established in the Memorandum & Order such that Plaintiff's motion to leave to amend the complaint may be filed on or before January 16, 2024, with Defendants' joint opposition brief to be filed on or before February 16, 2024.

The grounds for requesting this enlargement are as follows: (1) the need for Plaintiff to assemble additional factual materials to support new and more detailed allegations in the proposed amended complaint; (2) the undersigned's deadlines and responsibilities in other litigated matters over the next several weeks; (3) year-end business responsibilities; and (4) the desire of all parties to accommodate the upcoming holiday season.

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This is the first request for adjournment or extension of this deadline.

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Roy W. Breitenbach

RWB:

cc: All Counsel of Record